



# UNITED NATIONS



## THIRD CONFERENCE ON THE LAW OF THE SEA

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### ALGERIA: STRAITS USED FOR INTERNATIONAL NAVIGATION: SEMI-ENCLOSED SEAS

#### Article 1

1. Merchant ships and government ships operated for commercial purposes which are proceeding to or from a coastal State bordering a semi-enclosed sea whose access to ocean space lies exclusively through straits connecting two parts of the high seas and traditionally used for international navigation shall enjoy the right of free transit for this purpose.

2. The régime of passage provided for in this article shall, however, be applied in accordance with the following provisions:

(a) During passage, ships shall observe all international regulations concerning the prevention of collisions and shall accordingly comply with such traffic separation schemes as may derive from this convention or from recommendations by IMCO.

(b) Ships shall likewise take all preventive measures necessary to avoid causing any damage to the coastal States bordering the straits.

(c) Damage caused to the coastal State as a result of the exercise by a ship of the right of passage under the régime of free transit shall entitle that State to claim compensation.

(d) No State shall be entitled to interrupt or suspend free transit through straits or to take any measures likely to hamper such transit.

3. The provisions of this article:

(a) Apply only to straits which connect two parts of the high seas and which are traditionally used for international navigation;

(b) Do not apply to straits already regulated by international conventions.

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English

Article 2

1. Warships and government ships operated for non-commercial purposes which are passing through straits under the conditions provided for in article 1, paragraph 1, shall enjoy the right of innocent passage.
2. The régime of innocent passage must be established in such a way as to safeguard the legitimate rights and interests of coastal States with regard, inter alia, to national security and safety of navigation.

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